

**TOWN BOARD MEETING**  
**WEDNESDAY, JULY 6, 2011; 7:00 P.M.**  
 NEW WINDSOR TOWN HALL  
 NEW WINDSOR, NEW YORK

**BOARD MEMBERS PRESENT:** Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

**OTHER OFFICIALS PRESENT:** Comptroller Finnegan, Police Lieutenant Farbent, Town Attorney Blythe, Highway Superintendent Fayon

Supervisor Green called to order the Town Board meeting and presided over same.

**#1 On Agenda: Motion – Approve Minutes**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing regarding the establishment of Sewer District #7 Extension 2 (Legacy Woods), the minutes of the Town Board meeting both held on June 1, 2011 and the minutes of the Special Town Board meeting held on June 9, 2011, as per the copies posted on the Town Clerk's bulletin board in Town Hall, and same distributed to each of the Town Board members.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**UNFINISHED BUSINESS**

**HIGHWAY DEPARTMENT**

**#2 On Agenda: Motion – Authorize Execution Of Contract With Arkel Motors**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute a contract with Arkel Motors, Inc., 70 Windsor Highway, New Windsor, New York, for the purchase of 2012 Truck Chassis and Loader Refuse Body as per the bid received and publicly opened on May 5, 2011.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**WATER DEPARTMENT**

**#3 On Agenda: Motion - Amend Standard Schedule Of Fees – Water Rates**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following:

**WHEREAS**, effective July 1, 2011, the rate for water sales which do not exceed the allowance quantities of water authorized to each municipal corporation or water district pursuant to Section 24-360 of the Administrative Code of the City of New York increased from \$1,149.72 per million gallons to \$1,213.84 per million gallons; and

**WHEREAS**, the current water consumption rate for the Town of New Windsor is \$4.47 per 100 cubic feet or \$5.98 per 1000 gallons; and

**WHEREAS**, the Town Board of the Town of New Windsor has determined that it is necessary to increase the water consumption rate charged to residents of the Town of New Windsor in order to maintain the financial integrity of the Consolidated Water District and the individual water districts;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor, pursuant to Section 287.35 of the Town Code hereby amends the Standard Schedule of Fees and establishes a new water consumption rate in the amount of \$4.81 per 100 cubic feet or \$6.43 per 1000 gallons; and

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**BE IT FURTHER RESOLVED** that this amendment to the Standard Schedule of Fees will become effective for the September 1, 2011 billing cycle.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#4 On Agenda:      Motion – Authorize Execution Of Change Order – Sewer Pump Station 12 (Engineer’s Project No.: 02-145.1)**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute a change order, in a form acceptable to the Town Attorney and with the approval of the Town Engineer, for an extension of time to allow Eventus Construction Company, Inc., to complete the Pump Station 12 Contract (1G) with no increase in cost.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#5 On Agenda:      Motion – Authorize Execution of EAF – Plum Point Wells**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution:

**WHEREAS**, the Town of New Windsor relies on the New York City Catskill Aqueduct as a principal source for the supply of drinking water; and

**WHEREAS**, the City of New York has scheduled several long term outages in order to conduct repairs on the Catskill Aqueduct; and

**WHEREAS**, the Town of New Windsor has limited alternative water supplies; and

**WHEREAS**, the Town of New Windsor seeks to augment its water supply system by the installation of new water supply wells; and

**WHEREAS**, an investigation has determined that wells located at the Plum Point Park (the “Plum Point Wells”) are suitable for use as part of the Town’s water supply system; and

**WHEREAS**, specifically the project involves the drilling of two wells to access the aquifer, the construction of a well house and a water transmission main to connect to the existing water distribution system (the “Project”); and

**WHEREAS**, the undertaking of the Project and use of the Plum Point Wells is an action subject to the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the undertaking of the Project and use of the Plum Point Wells will also require permits and approvals from various other agencies, including the New York State Department of Environmental Conservation and the Orange County Department of Health; and

**WHEREAS**, the Town Board of the Town of New Windsor, which is the agency responsible for supplying water to the residents of the Town, wishes to declare its intent to seek lead agency to conduct a coordinated review under SEQRA; and

**WHEREAS**, the Town Board has before it a proposed long form Environmental Assessment Form (“EAF”); and

**WHEREAS**, a project or action that would use ground or surface water in excess of 2,000,000 gallons per day is classified as a Type I action under SEQRA; and

**WHEREAS**, Type I actions require a coordinated SEQRA review.

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**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. That the Town Board hereby designates the Project to be a Type I action; and
2. That, after due consideration, the Town Board hereby authorizes the Supervisor to execute the EAF; and
3. That the Town Board hereby authorizes the preparation and mailing of a Notice declaring the Town Board's intent to serve as SEQRA Lead Agency.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#6 On Agenda:      Receive And File Bids for St. Anne Drive Well House Rehabilitation Project**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids received and publicly opened June 30, 2011 for the St. Anne Drive Wellhouse Rehabilitation Project.

**SANITATION DEPARTMENT  
GENERAL**

**#7 On Agenda:      Motion - Award Lease Purchase Agreement To M & T Bank**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the following:

**WHEREAS**, on April 12, 2011 the Town Clerk of the Town of New Windsor advertised for bids for a 2012 truck chassis and 29 cubic yard loader refuse body; and

**WHEREAS**, on July 6, 2011 the Town Board of the Town of New Windsor awarded the bid to Arkel Motors, Inc., totaling \$195,358.00; and

**WHEREAS**, the 2011 Town Budget for the Town of New Windsor also authorized the acquisition of four police vehicles totaling \$120,000.00 more or less; and

**WHEREAS**, the total purchase price of all the above vehicles will be \$325,000.00, more or less; and

**WHEREAS**, the Town Comptroller has solicited bids from four financial institutions for a tax-exempt lease purchase contract to finance the above purchases; and

**WHEREAS**, the Town Comptroller has determined that the lease purchase proposal from Manufacturers and Traders Trust Company ( M & T Bank) contains the most favorable terms and conditions to the Town of New Windsor and has recommended that the M & T Bank contract be accepted;

**NOW THEREFORE BE IT RESOLVED** by the Town Board of the Town of New Windsor that the Supervisor is authorized to enter into and execute a tax exempt lease purchase agreement and all other necessary and related documents with M & T Bank in a total amount not to exceed \$325,000.00 under such annual or monthly terms as recommended by the Town Comptroller.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#8 On Agenda:      Motion - Designate Town Clerk As Licensing Authority For Collateral Loan Brokers**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor designate the Town Clerk to act as the licensing authority for collateral loan brokers and direct the Town Attorney to draft an appropriate application for such license to insure compliance with the applicable sections of Article 5 of the New York State General Business Law, Sections 40 *et. seq.*, and pursuant to New York State General Business Law Article 5, Section 41, establish an annual license fee of \$250.00 and amend the annual Standard Schedule of Fees accordingly.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#9 On Agenda:      Motion – Authorize Dispensing Of Alcoholic Beverages – New Windsor Community Day**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor hereby authorize Schlesinger’s Steak House to dispense alcoholic beverages at Mt. Airy Park during New Windsor Community Day to be held on August 27, 2011 with a rain date of August 28, 2011, in accordance with Town of New Windsor Town Code Section 88-4(A).

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#10 On Agenda:      Motion – Authorize Execution Of Inter-Municipal Agreement – Village Of Cornwall On Hudson**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Inter-municipal Agreement between Town of New Windsor and Village of Cornwall-on-Hudson for purposes of utilizing the Town of New Windsor’s Information Technology Officers to assist the Village of Cornwall-on-Hudson in the establishment, configuration, maintenance and oversight of the Village of Cornwall-on-Hudson’s computers.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#11 On Agenda:      Motion – Authorize Execution Of Solid Waste Processing And Disposal Agreement**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute a twenty year (20) Agreement between Town of New Windsor and TBE-Montgomery, LLC for purposes of solid waste processing and disposal.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#12 On Agenda:      Motion – Authorize Advertising For Bids – Rooftop HVAC Units**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise, pursuant to law, calling for sealed bids for the purchase of rooftop HVAC units for a portion of Town Hall. Bid documents will be available in the Town Clerk’s Office on July 19, 2011. Bids shall be received and publicly opened on August 11, 2011 at 10:00 a.m. (local time) at the office of the Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#13 On Agenda:     Motion – Appoint To Bureau Of Fire Prevention**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint the following members to the Bureau of Fire Prevention. All terms begin immediately:

Thomas Prendergast	Quassaick Fire District	Term expires December 31, 2012
Stephen Sager	Vails Gate FD	Term expires December 31, 2013
Thomas Johnson	Salisbury Mills FD	Term expires December 31, 2013
Shawn McGrath	Quassaick Fire District	Term expires December 31, 2013
Jeffrey Barrett	Civilian Member	Term expires December 31, 2012

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#14 On Agenda:     Officials Reports**

The following reports were received, recorded and filed with the Town Clerk:

Building Department	Month of May 2011
Fire Prevention	Month of May 2011
Police Department	Month of May 2011
Building Department	Month of June 2011
Fire Prevention	Month of June 2011
Justice Court – Richard W. Thorpe	Month of June 2011
Justice Court – Noreen Calderin	Month of June 2011
Police Department	Month of June 2011
Recreation Department	Month of June 2011
Tax Receiver - Water / Sewer/ Garbage	Month of June 2011
Town Clerk	Month of June 2011

**#15 On Agenda:     Public Forum**

Supervisor Green asked anyone on the Board if they had any comments and then opened the public forum to anyone who wished to speak.

Leo Braun asked for more information on the Plum Point wells. Supervisor Green said they are putting in test wells which will tap into an aquifer which runs under the Hudson River and which will hopefully produce about 300 million gallons of water per day. Mr. Braun asked if this project would be bonded to cover the costs and the Supervisor said that yes it would be bonded, but because of what we would save from not paying New York City, the costs will be covered.

William Steidle asked if the Town was working on townwide zoning changes and if so, would the Town Board hold an information meeting for the public prior to the public hearing. Supervisor Green said that there are still many small details to be worked out. He said a public hearing has been held on the master plan, but not on the zone change.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#16 On Agenda:    Adjourn**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:25 P. M.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc